

**AMENDMENT TRANSMITTAL LETTER**Docket No.
SPINE 3.0-441 CONTApplication No.
10/667,034Filing Date
September 22, 2003Examiner
Robert, Eduardo C.Art Unit
3731

Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico

Invention: POROUS INTERVERTEBRAL DISTRACTION SPACERS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	13	- 20 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within third month					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					

- ☒ Large Entity ☐ Small Entity
- ☐ No additional fee is required for this amendment.
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- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Michael J. Doherty
Attorney Reg. No.: 40,592Dated: August 4, 2005LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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Signature: (Michael J. Doherty)



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Dated: August 4, 2005

Signature: Michael J. Doherty

(Michael J. Doherty)

Docket No.: SPINE 3.0-441 CONT CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph et al.

Application No.: 10/667,034

Filed: September 22, 2003

For: POROUS INTERVERTEBRAL
DISTRACTION SPACERS

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: Group Art Unit: 3731
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: Examiner: E. Robert
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed February 8, 2005, Applicants submit the following amendments and remarks.